

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

STEVEN MATTHEW EDWARDS

PETITIONER

VERSUS

CIVIL ACTION NO. 3:07-cv-588-DPJ-JCS

UNITED STATES GOVERNMENT

RESPONDENT

ORDER OF DISMISSAL

BEFORE the Court is Petitioner's request for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, filed October 3, 2007. Petitioner is currently incarcerated in the Madison County Detention Center, Canton, Mississippi. Petitioner asserts that he has not been convicted of a crime, nor is there a case pending against him, therefore he should be released from incarceration.

Petitioner is currently incarcerated based on pending federal criminal charges for attempting to produce a biological agent or toxin for use as a weapon, which this Court has assigned criminal case number 3:06-cr-158-WHB-LRA. In fact, on December 4, 2007, Petitioner entered a plea of guilty in that criminal case. Petitioner's sentencing is currently set for February 14, 2008.

Since a petition pursuant to 28 U.S.C. § 2254 applies to challenges by state inmates to their criminal state court judgments of conviction, it is not applicable to Petitioner. Nor does the Court find that Petitioner has asserted a viable claim for habeas relief. Accordingly, this case shall be summarily dismissed.

IT IS ORDERED AND ADJUDGED that this case filed pursuant to 28 U.S.C. § 2254 is summarily dismissed pursuant to Rule 4 of the *Rules Governing Section 2254 Cases in the United States District Courts*.

SO ORDERED AND ADJUDGED, this the 6th day of December, 2007.

s/Daniel P. Jordan III
UNITED STATES DISTRICT COURT JUDGE